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> The Changing Influx of Asylum Seekers in 2014-2016: Lithuania's response

2017/4

EMN STUDY





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VILNIUS, 2017

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Summary

Introduction. On average, approximately 400 asylum applications are lodged annually in Lithuania (in 2014, 496 applications were received mostly from citizens of Georgia, in 2015 – 291 applications mostly from citizens of Ukraine, in 2016 – 425 applications mostly from citizens of Syria). The Republic of Lithuania has not faced a mass influx of asylum applicants. Although there are fluctuations in the number of asylum applicants, this should not be considered as a mass influx. Since 2009, the number of applications for granting asylum in Lithuania has increased, as there have been considerably more entries of citizens of Georgia (their applications accounted for almost half of all the mentioned applications), while the increase in the number of asylum applications since 2016 is linked to the fulfilment of obligations to the European Union, namely, the relocation of asylum applicants from Greece, Italy and Turkey.

Legislation. In Lithuania, the Common European Asylum System has been implemented by an amendment to the Law of the Republic of Lithuania on the Legal Status of Aliens passed on 26 November 2015. In implementing this Law, the Description of the Procedure for Granting and Withdrawing Asylum has been approved establishing a procedure for lodging asylum applications, examining them, assessing grounds for the asylum applications, taking asylum decisions, withdrawing granted asylum, relocating aliens to the territory of the Republic of Lithuania and other procedural actions.

The amended Law of the Republic of Lithuania on the Legal Status of Aliens has introduced the concept of a vulnerable person and the necessary amendments to the Law ensuring the relocation of aliens in cooperation with other Member States of the European Union, third countries, European Union institutions or international organisations. The amendments to the Law also allow for a more flexible response to fluctuations in the number of asylum applicants and the accommodation of the asylum applicants during the period of examination of their asylum applications not only at the Foreigners' Registration Centre of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (the 'Foreigners' Registration Centre'). The previous regulation did not address the issue of accommodation of the asylum applicants in the event of a lack of available capacity at the Foreigners' Registration Centre, and the situation would be resolved in an *ad hoc* manner. Upon adoption of the amendment, the asylum applicants may be

provided with other accommodation arrangements in accordance with the procedure established by the Government or an institution authorised by it, as well as with accommodation of an asylum applicant's own choice subject to obtaining a permission of the Migration Department.

Structural developments. In view of the increase in the number of inhabitants at the Refugee Reception Centre due to the relocation programme (at the Refugee Reception Centre, accommodation is provided to the aliens who have been granted asylum in the Republic of Lithuania, unaccompanied minors aliens, relocated aliens in need of asylum), a decision has been taken to open within the territory of Rukla near the Refugee Reception Centre the Rukla police station of the Public Police Unit of Jonava District Police Headquarters of Kaunas County Police Headquarters. The purpose of this decision is to ensure a more rapid response to various incidents or complaints within the territory of the town and to ensure the security of both aliens and the local community.

Integration. According to a new procedure, which entered into force in 2016, relocated persons are accommodated at the Refugee Reception Centre straightaway and receive the same support for integration as the aliens who have been granted asylum in the Republic of Lithuania, i.e., they have access to all integration tools from the very moment of their entry into the country pending a decision regarding their application. The relocated asylum applicants are granted more favourable accommodation conditions, they start to receive support for integration before the taking of an asylum decision.

Cooperation. The Commission for Coordination of the Relocation of Aliens in Need of Asylum to the Territory of the Republic of Lithuania and the Implementation of the Integration of Aliens has been set up. Regular meetings of representatives of all institutions are organised and involve also representatives of local self-government and non-governmental organisations. Topical issues are resolved and decisions on further action are taken. The work of the Commission has strengthened inter-agency cooperation of institutions (representatives have been appointed to promptly address current issues); the examination of the asylum applications lodged by relocated asylum applicants has been accelerated; minor asylum applicants have been granted access to pre-school and pre-primary education.

Continuing cooperation with other states addresses the issues of management of flows of asylum applicants, strengthening of external borders, smuggling of persons, also improvement of reception conditions for the asylum applicants. Lithuania draws from the experience of Sweden, also participates in the EU-FRANK project (in the course of the implementation of the project, Lithuanian representatives joined the Belgian mission and observed selection and cultural orientation activities in Ankara).

Challenges. The workload for the authority examining asylum applications, i.e., the Migration Department under the Ministry of the Interior (the 'Migration Department'), has increased, however human resources have remained unchanged. The Migration Department faces the challenge of examining asylum applications within the period of three months. The asylum applications lodged by relocated asylum applicants are examined more speedily, however the asylum applications lodged by the asylum application Centre, are examined more slowly, and therefore the Foreigners' Registration Centre becomes filled up, there is no turnover of inhabitants of the Centre, and the issue of their accommodation needs to be addressed. In view of the current situation, a new measure has been introduced providing for the accommodation of the asylum applicants not only at the Foreigners' Registration Centre, but also the possibility of accommodating them at other accommodation facilities and/or temporary housing, also accommodating them at the Refugee Reception Centre (subject to availability and with the approval of the Ministry of Social Security and Labour).

1.

Overview of the National Context Question (further – Q) 1. Brief overview of legislative changes and policies announced and/or introduced to address or manage fluctuations in the number of asylum applications or better control of migration flows over 2014-2016.

With the adoption of relevant legislation¹ in June 2013, the EU completed the second phase of the development of the Common European Asylum System. The purpose of the System is to simplify, rationalise and consolidate the core and procedural standards of provision of international protection (refugee status and subsidiary protection) across the EU, to ensure sound decision-making, to prevent abuse of international protection procedures and to make the asylum process itself more effective and faster.

Lithuania has implemented the Common European Asylum System by an amendment to the Law of the Republic of Lithuania on the Legal Status of Aliens passed on 26 November 2015². In implementing this Law, the Minister of the Interior approved on 24 February 2016³ the Description of the Procedure for Granting and Withdrawing Asylum in the Republic of Lithuania, which revised the procedure for lodging asylum applications, examining them, assessing grounds for the asylum applications, taking asylum decisions, withdrawing granted asylum, relocating aliens to the territory of the Republic of Lithuania and carrying out other procedural actions.

In transposing the aforementioned directives, the concept of a vulnerable person is introduced in Article 2(182) of the Law of the Republic of Lithuania on the Legal Status of Aliens (Law No IX-2206) (the 'LLSA'). A vulnerable person is defined as a person with special needs (for instance, a minor, a disabled person, a person over the age of 75, a pregnant woman, a single parent with minor children, a person suffering from mental disorders, a victim of trafficking in human beings or a person who has been subjected to torture, rape or other serious forms of psychological, physical or sexual violence). A non-exhaustive sample list of the persons who may be recognised as vulnerable has been stipulated.

The LLSA has also been supplemented with Article 871 ("Relocation of aliens to the territory of the Republic of Lithuania") in order to carry out the relocation of aliens in cooperation with other Member States of the European Union, third countries, European Union institutions or international organisations.

At the beginning of 2016, the Ministry of the Interior began drafting a resolution of the Government of the Republic of Lithuania approving the Description of the Procedure for Accommodation of Asylum Applicants⁴, which aims at regulating the procedure related to accommodation facilities, temporary housing and places for equipping temporary housing for asylum applicants (drawing up of a list, requirements for the accommodation arrangements, accommodation conditions and procedures for asylum applicants, ensuring of reception conditions and the amount of funds allocated to ensure material reception conditions). The Description applies to the asylum applicants who have not been detained or who have not been provided an alternative to detention, namely, the accommodation of an alien at the Foreigners' Registration Centre without restricting his freedom of movement. Such aliens may, by a decision of the Migration Department, be accommodated at accommodation facilities or temporary housing in the presence of at least one of the following conditions: the asylum application in question has been lodged by a vulnerable person or there is no capacity available for the accommodation of asylum applicants at the Foreigners' Registration Centre.

Such regulation allows for a more flexible response to fluctuations in the number of asylum applicants and their provision with accommodation arrangements other than the Foreigners' Registration Centre during the examination of asylum applications. Previous regulation did not address the issue of where to accommodate asylum applicants if there was no capacity available at the Foreigners' Registration Centre, and the situation would be dealt with in an ad hoc manner.

¹ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ 2011 L 337, p. 9) and Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ 2013 L 180, p. 60)

² Law No XII-2080 of 26 November 2015 amending Republic of Lithuania Law No IX-2205 on the Legal Status of Aliens

³ Order No 1V-131 of the Minister of the Interior of the Republic of Lithuania of 24 February 2016 on Approval of the Description of the Procedure for Granting and Withdrawing Asylum in the Republic of Lithuania

⁴ Resolution No 171 of the Government of the Republic of Lithuania on Approval of the Description of the Procedure for Accommodation of Asylum Applicants was adopted on 8 March 2017.

On 25 August 2016, the Order of the Minister of Social Security and Labour of the Republic of Lithuania and the Minister of the Interior of the Republic of Lithuania on Approval of the Description of the Procedure for Exercise of the Right of an Asylum Applicant to Receive a Monthly Cash Allowance⁵ was adopted. This Order fully implements Article 71(1)(8) of the LLSA⁶, and the right to receive the cash allowance is now stipulated in the Law (previously, the right of an asylum applicant to receive the cash allowance for petty expenses was regulated by an order of the Minister of Social Security and Labour of the Republic of Lithuania).

Q2. To what extent is the concept of a change in asylum applications (either a significant increase or decrease) defined in Lithuania (e.g. in legislation, policies and/or plans)? How is it determined what a significant influx is?

According to the LLSA, an asylum application means a request made in any form by an alien with regard to granting of asylum in the Republic of Lithuania. The existing system of granting asylum in the Republic of Lithuania, which includes the issues of refugee status and subsidiary protection, meets the standards set at EU level. Lithuania applies the so-called single asylum application procedure: after an alien lodges an asylum application in Lithuania, it is first determined whether he fulfils criteria for granting refugee status and may be granted refugee status in the Republic of Lithuania; if this status cannot be granted to the asylum applicant, it is decided whether the asylum applicant meets criteria for granting subsidiary protection and may be granted subsidiary protection.

According to the LLSA, an asylum applicant means an alien who has lodged, in accordance with the procedure laid down by this Law, an asylum application in respect of which a final decision has not yet been taken. By a decision of the Migration Department, asylum applicants are accommodated at the Foreigners' Registration Centre. If an asylum applicant himself so requests, he may, by a decision of the Migration Department, be allowed to reside also at accommodation of his own choice. The asylum applicants may also be provided with other accommodation arrangements in accordance with the procedure established by the Government or an institution authorised by it.

Whether an influx is significant depends on the totality of several indicators:

- One of the most important indicators for determining whether an influx is significant is the List of Criteria of Emergency Events⁷, according to which a mass influx of alien into the territory of Lithuania occurs when the state border of the Republic of Lithuania is crossed at unspecified places in the absence of a set time schedule or established procedure and when the number of such cases within the territory of activities of one frontier station is more than 30;
- Evaluation of the number of asylum applications lodged with the Migration Department, though this is not the key indicator in determining whether the influx is significant, as the large number of asylum applications may be lodged at different times.

Q3. Did Lithuania experience significant changes in the influx of asylum applicants before 2014 (2000 onwards e.g. the increased influx related to the war in former Yugoslavia)? If so, what measures were introduced to enhance the preparedness of Lithuania as a response to these changes in the influx of asylum applicants?

On average, approximately 400 asylum applications are lodged annually in Lithuania (in 2014, 496 asylum applications were received mostly from citizens of Georgia, in 2015 – 291 applications mostly from citizens of Ukraine, in 2016 – 425 applications mostly from citizens of Syria).

The Republic of Lithuania has not faced a mass influx of asylum applicants. Although there are fluctuations in the number of asylum applicants, this should not be considered as an influx. Since 2009, the number of applications for granting asylum in Lithuania has increased, as there have been considerably more entries of citizens of Georgia (their applications accounted for

⁵ Order No A1-454/1V-588 of the Minister of Social Security and Labour of the Republic of Lithuania and the Minister of the Interior of the Republic of Lithuania on Approval of the Description of the Procedure for Exercise of the Right of an Asylum Applicant to Receive a Monthly Cash Allowance ⁶ To receive, according to the procedure established by the Minister of Social Security and Labour of the Republic of Lithuania and the Minister of the Minister of the Right of an Asylum Applicant to Receive a Monthly Cash Allowance ⁶ To receive, according to the procedure established by the Minister of Social Security and Labour of the Republic of Lithuania and the Minister of the Right of an Asylum Applicant to Receive a Monthly Cash Allowance ⁶ To receive, according to the procedure established by the Minister of Social Security and Labour of the Republic of Lithuania and the Minister of the Right of an Asylum Applicant to Receive a Monthly Cash Allowance ⁶ To receive, according to the procedure established by the Minister of Social Security and Labour of the Republic of Lithuania and the Minister of the Right of Allowance ⁶ To receive a Monthly Cash Allowance ⁶ To receive a Monthl

Interior of the Republic of Lithuania, a monthly allowance in the amount of 10 per cent of state-supported income, with the exception of the asylum applicants accommodated at the Refugee Reception Centre, who receive support for integration from the State of Lithuania.

⁷ Resolution No 241 of the Government of the Republic of Lithuania of 9 March 2006 on Approval of the List of Criteria of Emergency Events

almost half of all the mentioned applications). However, upon signing the EU-Georgia Readmission Agreement and, in 2014, the implementing protocol to the Agreement the flow of the asylum applicants has been controlled and the number of the citizens of Georgia has decreased significantly. The increase in the number of asylum applications since 2016 is linked to the fulfilment of obligations, namely, relocation of asylum applicants.

Q4. Did Lithuania experience a significant fluctuation in number of asylum applications (both increase and decrease) in the years 2014, 2015 and/or 2016? Could you please specify and explain the period(s) in which there was such a fluctuation, and the nature of the fluctuation (increase/decrease)?

Yes. In 2016, the number of asylum applicants increased 1.46 times compared to 2015. Although the migration crisis did not directly impact Lithuania, it could be considered that, in the context of solidarity, Lithuania was nevertheless affected by the sharp increase in the flow of asylum applicants taking place in 2014 in the Mediterranean region of Europe.

In implementing decisions of the Council of the European Union, 1,077 aliens in need of asylum must be relocated to the territory of the Republic of Lithuania within two years (2016-2017). Under Resolution No 958 of 10 September 2015 amending Resolution No 628 of the Government of the Republic of Lithuania of 22 June 2015 on Relocation of Aliens to the Territory of the Republic of Lithuania, the Government of the Republic of Lithuania showed solidarity and committed to relocate to the territory of the Republic of Lithuania 1,105 aliens in need of asylum (more than according to the decisions of the Council of the European Union). It was decided to relocate 1,035 aliens in need of asylum to the territory of the Republic of Lithuania from the Member States of the European Union and 70 aliens in need of asylum to the territory of the Republic of Lithuania from third countries ('relocated asylum applicants').

Lithuania carries out relocations from Greece and Italy as well as Turkey. The first relocated asylum applicants (4 persons) entered the Republic of Lithuania in December 2015. In 2016, 206 aliens were relocated (this accounts for 48 per cent of all lodged asylum applications). 181 aliens were relocated from Greece, 25 aliens – from Turkey.

Due to the relocations being carried out, the number of persons who received refugee status increased in 2016, as the vast majority of the relocated aliens were citizens of Syria.

Q5. If Lithuania did not experience a significant fluctuation over 2014-2016 in the number of asylum applications, please elaborate how and if the absence of such a fluctuation has impacted national policies and approaches.

Not applicable.

Q6. To what extent was cooperation at national level (i.e. between national organisations and authorities) strengthened over the period 2014-2016 in response to the changing influx in asylum applicants coming to Lithuania? How was this achieved?

Cooperation was strengthened at governmental level.

- The Migration Policy Guidelines approved by the Government of the Republic of Lithuania⁸ stipulate the main objectives and principles of migration policy, define the main migration policies that would help ensure the management of migration flows in line with the needs of the State. One of the migration policies is the area of asylum (international protection). The monitoring of migration processes is coordinated and these processes are analysed by the Ministry of the Interior of the Republic of Lithuania.
- The Government of the Republic of Lithuania⁹ set up the Commission for Coordination of the Relocation of Aliens in Need of Asylum to the Territory of the Republic of Lithuania and the Implementation of the Integration of Aliens. Regular meetings of representatives of all institutions are organised and involve also representatives of local self-government and non-governmental organisations. Topical issues are resolved and decisions on further action are taken. One of the main results of this Commission's work were as follows:

⁸ Resolution No 29 of the Government of the Republic of Lithuania of 22 January 2014 on Approval of the Migration Policy Guidelines

⁹ Under Resolution No 1007 of the Government of the Republic of Lithuania of 21 September 2015 on Setting up of the Commission (the composition updated by Resolution No 319 of the Government of the Republic of Lithuania of 3 May 2017)

- Inter-agency cooperation of institutions was strengthened (representatives have been appointed to promptly address current issues);
- The examination of asylum applications lodged by relocated asylum applicants was accelerated;
- Minor asylum applicants were granted access to pre-school and pre-primary education (amendments to the LSSA of 25 May 2017);
- Participants of the Commission's meetings consistently monitored and discussed the process of integration of relocated persons, as well as relocation issues.

Q7. To what extent did Lithuania consult with other Member States during the period 2014-2016 specifically in regards to dealing with a changing influx? If consultation was followed by cooperation approaches, please explain in which domains cooperation between Member States was most effective?

Cooperation with other countries took and is taking place on issues of management of asylum applicants' flows, strengthening of the external borders, combating of the smuggling of persons and improvement of reception conditions for the asylum applicants. The Republic of Lithuania showed solidarity in response to the increased influx of asylum applicants in the Mediterranean region and in 2015 expressed its support for the relocation of 1,105 aliens from the Member States of the European Union and third countries (see question 4). During 2015-2016, representatives of the Ministry of the Interior visited Greece and Turkey regarding the issues of relocation and asylum procedures.

In 2017, relocations from Italy were commenced (until then, relocations were carried out only from Greece and Turkey). At the Informal Meeting of EU Justice and Home Affairs Ministers held on 6-7 July 2017 in Tallinn, the Ministers of the Interior of Lithuania and Italy signed an agreement on cooperation between the responsible authorities of Lithuania and Italy in the area of relocation of persons. The Ministers agreed on a more early involvement of Lithuanian officers in the security checks of the persons being relocated (interviews with the persons who are to be relocated to Lithuania).

Q8. To what extent did measures taken in neighbouring Member States (or other EU Member States in general) have an effect on Lithuania's policies and practices, even if Lithuania did not experience a change in the influx?

In Lithuania, the change (increase) in the number of asylum applications is related to the relocations from the Member States of the European Union and third countries carried out since the end of 2015, as well as with the disturbances taking place in Ukraine. Due to good relations established with Greece, the majority of asylum applicants have been relocated from Greece.

Both in preparing for the relocation of aliens in need of asylum and having launched relocations, Lithuania draws from the experience of Sweden, with particular attention paid to the fact that the successful integration of such aliens in society requires early provision of integration measures, language teaching and community involvement. For this reason, Lithuania has intensified the provision of Lithuanian language courses to such persons. Lithuania also participates in the EU-FRANK project, in which states with greater experience in the area of relocation share it with the states launching relocations. For example, in the course of the implementation of the project Lithuanian representatives joined the Belgian mission and observed selection and cultural orientation activities in Ankara.

2.

Overview of the National Responses over 2014-2016

2.1 MEASURES TAKEN, THEIR IMPACT AND RESPONSES TO THE CHANGING INFLUX IN LITHUANIA

Q9. Please indicate in the table below which specific areas were impacted by a change in the influx of asylum applicants in Lithuania. Please specify further in the column 'Explanation' whether information provided relate to an increased or to a decrease in the influx.

Area	Directly impacted (Yes/No)	Time period (when)	Very brief explanation on the basis of short titles (how and what the impact was, including whether it concerned an increase/decrease)
1. Border control	No		
2. Reception centres / accommodation arrangements and other housing	Yes	2015/2016	All asylum applicants are accommodated at the Foreigners' Registration Centre, however relocated aliens are accommodated at the Refugee Reception Centre (body providing social services) straightaway. In preparation for the accommodation of relocated aliens in need of asylum at the Refugee Reception Centre, the regulations of the Refugee Reception Centre were amended on 3 August 2015: the provision that the Refugee Reception Centre provides long- and short-term social care for adults with disabilities was deleted from the list of the Centre's activities (with the decrease in the number of aliens who have been granted asylum in the Republic of Lithuania, since 1 April 2012 adults with disabilities have been accommodated at the Refugee Reception Centre). This amendment has freed up capacity for approximately 40 persons. At the beginning of 2016, the Ministry of the Interior began drafting a resolution of the Government of the Republic of Lithuania approving the Description of the Procedure for Accommodation of Asylum Applican ¹⁰ These developments
			Accommodation of Asylum Applican ¹⁰ . These developments will allow for a more flexible response and provision of asylum applicants with accommodation arrangements other than the FRC.
3. Wider reception services (social services, health services), rights afforded to applicants	Yes		Relocated aliens in need of asylum are accommodated at the Refugee Reception Centre and receive, during the examination of their asylum applications, from the Centre the same support for integration as the aliens who have been granted asylum in the Republic of Lithuania.
4. Registration process of the asylum seekers	No		
5. Asylum procedure (at first and second instance)	No		
6. Infrastructure, personnel and	Yes	2016	As regards the examination of asylum applications, the workload has increased due to the commitments assumed

¹⁰ Resolution No 171 of the Government of the Republic of Lithuania on Approval of the Description of the Procedure for Accommodation of Asylum Applicants was adopted on 8 March 2017.

competencies of the responsible authorities			by Lithuania to the European Union in relation to the implementation of the relocation of aliens in need of asylum. Asylum decisions are taken faster is respect of these relocated aliens than in respect of those who cross the border of the Republic of Lithuania themselves.
7. Law enforcement	Yes	2015	In preparation for the reception of relocated asylum applicants and their accommodation at the Refugee Reception Centre, the Rukla police station of the Public Police Unit of Jonava District Police Headquarters of Kaunas County Police Headquarters was opened in Rukla in December 2015.
8. Integration measures for asylum applicants	Yes	2016	Integration measures are not provided for asylum applicants, with the exception of relocated asylum applicants, who are accommodated at the Refugee Reception Centre. They are provided the same support for integration as the aliens who have been granted asylum in the Republic of Lithuania.
9. Other	n/a	n/a	n/a

Q10. Fill out the table below on specific elements of the measures indicated in the previous table. Note that numerous questions are simply to establish the typology of the measure, and only the selected options need to be indicated (such as rows a) and b)). Further details are provided from row c), with a general explanation in row e).

10. 1	 Please select the area corresponding to those highlighted in Q9: 1. Border control 2. <u>Reception centres / accommodation arrangements and other housing</u> 3. Wider reception services (social services, health services), rights afforded to applicants 4. Registration process of the asylum seeker 5. Asylum procedure (at first and second instance) 6. Infrastructure, personnel and competencies of the responsible authorities 7. Law enforcement 8. Integration measures for asylum applicants 9. Other 		
Measure No.	a) Year and month the measure was established	26 November 2015	
Mea	b) Typology of measures		
	Measure following an increase or decrease in numbers?	Measure following preparation for the implementation of programmes for relocation from the Member States of the European Union and third countries.	
	New measure or change to an existing measure?	New measure	
	Structural or ad-hoc (temporary) measure?	Structural measure	

	Type of measure: - (National) Action plan - <u>Legislative instruments</u> - Specific interinstitutional / multi-agency working group on the situation - Soft measures (handbooks, circulars, policy/staff guidance, employing new staff) - Resources (staff or financing) - Emergency/contingency plan - Other, please specify	Law of the Republic of Lithuania on the Legal Status of Alien has been supplemented ¹¹ with a new concept. Refugee Reception Centre means a budgetary body providing social services for the purpose of accommodation of the aliens who have been granted asylum in the Republic of Lithuania, unaccompanied minor aliens, the aliens relocated in cooperation with other Member States of the European Union, third countries, European Union institutions or international organisations and implementation of the social integration of the unaccompanied minor aliens, as well as the aliens who have been granted asylum.
c)	General aim of the measure (what was intended?)	The aim is to accommodate relocated aliens in need of asylum at the Refugee Reception Centre (body providing social services), rather than at the Foreigners' Registration Centre.
d)	Intended and actual duration of the measure?	Indefinite
e)	Key elements of the measure (description of	To accommodate relocated aliens in need of asylum in the
ey	the measure)	Refugee Reception Centre and to provide them with the same support for integration as is provided to the aliens who have been granted asylum in the Republic of Lithuania
f)		Refugee Reception Centre and to provide them with the same support for integration as is provided to the aliens who
	the measure)	Refugee Reception Centre and to provide them with the same support for integration as is provided to the aliens who have been granted asylum in the Republic of Lithuania Ministry of the Interior and Ministry of Social Security and
f)	the measure) Authorities involved in drafting the measure Authorities involved in proposing and	Refugee Reception Centre and to provide them with the same support for integration as is provided to the aliens who have been granted asylum in the Republic of Lithuania Ministry of the Interior and Ministry of Social Security and Labour Ministry of the Interior and Ministry of Social Security and

Please select the area corresponding to those highlighted in Q9:

- 1. Border control
- 2. Reception centres / accommodation arrangements and other housing
- 3. Wider reception services (social services, health services), rights afforded to applicants
- 4. Registration process of the asylum seeker
- 5. Asylum procedure (at first and second instance)
- 6. Infrastructure, personnel and competencies of the responsible authorities
- 7. Law enforcement
- 8. Integration measures for asylum applicants
- 9. Other

a) Year and month the measure was established 26 November 2015

b) Typology of measures

 $^{^{11}}$ Law No XII-2080 of 26 November 2015 amending Republic of Lithuania Law No IX-2206 on the Legal Status of Aliens

Measure following an increase or decrease in numbers?	Measure following implementation of provisions of Article 79(2) of the LLSA ¹² on the accommodation of asylum applicants
New measure or change to an existing measure?	New measure
Structural or ad-hoc (temporary) measure?	Structural measure
Type of measure: - (National) Action plan - <u>Legislative instruments</u> - Specific interinstitutional / multi-agency working group on the situation - Soft measures (handbooks, circulars, policy/staff guidance, employing new staff) - Resources (staff or financing) - Emergency/contingency plan - Other, please specify	Resolution No 171 of the Government of the Republic of Lithuania of 8 March 2017 on Approval of the Description of the Procedure for Accommodation of Asylum Applicants
c) General aim of the measure (what was intended?)	The aim is to regulate the procedure related to provision to accommodation facilities, temporary housing and places for equipping temporary housing for asylum applicants (drawing up of a list, requirements for the accommodation arrangements, accommodation conditions and procedures for asylum applicants, ensuring of reception conditions and the amount of funds allocated to ensure material reception conditions); to create conditions for more flexible provision of asylum applicants with other suitable accommodation arrangements.
d) Intended and actual duration of the measure?	Indefinite
e) Key elements of the measure (description of the measure)	The measure applies to the asylum applicants who have not been detained or who have not been provided an alternative to detention, namely, the accommodation of an alien at the Foreigners' Registration Centre without restricting his freedom of movement. Such aliens may, by a decision of the Migration Department, be accommodated at other accommodation facilities or temporary housing in the presence of at least one of the following conditions: the asylum application in question has been lodged by a vulnerable person or there is no capacity available for the accommodation of asylum applicants at the Foreigners' Registration Centre.
f) Authorities involved in drafting the measure	Ministry of the Interior, Ministry of Social Security and Labour, Ministry of Justice, Ministry of Foreign Affairs
g) Authorities involved in proposing and approving of each measure	Ministry of the Interior and Ministry of Social Security and Labour
h) Authorities implementing measures	Ministry of the Interior and Ministry of Social Security and Labour
i) Other	

¹² Law of the Republic of Lithuania on the Legal Status of Aliens: <u>https://www.e-tar.lt/portal/lt/legalAct/TAR.42837E5A79DD</u>

Please select the area corresponding to those highlighted in Q9:

- 1. Border control
- 2. Reception centres / accommodation arrangements and other housing
- 3. Wider reception services (social services, health services), rights afforded to applicants
- 4. Registration process of the asylum seeker
- 5. Asylum procedure (at first and second instance)
- 6. Infrastructure, personnel and competencies of the responsible authorities
- 7. Law enforcement
- 8. Integration measures for asylum applicants
- 9. Other

a)	Year and month the measure was established	December 2015
b)	Typology of measures	
	Measure following an increase or decrease in numbers?	Measure following preparation for the relocation of aliens in need of asylum
	New measure or change to an existing measure?	New measure
	Structural or ad-hoc (temporary) measure?	Structural measure
	Type of measure: - (National) Action plan - Legislative instruments - Specific interinstitutional / multi-agency working group on the situation - Soft measures (handbooks, circulars, policy/staff guidance, employing new staff) - <u>Resources (staff or financing)</u> - Emergency/contingency plan - Other, please specify	The Rukla police station of the Public Police Unit of Jonava District Police Headquarters of Kaunas County Police Headquarters has been opened in Rukla.
c)	General aim of the measure (what was intended?)	The aim is to ensure public security and public policy within the territory of Rukla.
d)	Intended and actual duration of the measure?	Indefinite
e)	Key elements of the measure (description of the measure)	In view of the increase in the number of inhabitants at the Refugee Reception Centre due to the relocation programme (accommodation of the aliens who have been granted asylum in the Republic of Lithuania, unaccompanied minors aliens, <i>relocated aliens in need of asylum</i>), the attitude of society towards other nationalities and the need to manage possible disturbances, a decision was taken to open within the territory of Rukla near the Refugee Reception Centre the Rukla police station of the Public Police Unit of Jonava District Police Headquarters of Kaunas County Police Headquarters.
f)	Authorities involved in drafting the measure	Ministry of the Interior and Ministry of Social Security and Labour
g)	Authorities involved in proposing and approving of each measure	Ministry of the Interior and Ministry of Social Security and Labour

h) Authorities implementing measures

i) Other

Please select the area corresponding to those highlighted in Q9: 1. Border control 2. Reception centres / accommodation arrangements and other housing 3. Wider reception services (social services, health services), rights afforded to applicants 4. Registration process of the asylum seeker 5. Asylum procedure (at first and second instance) 6. Infrastructure, personnel and competencies of the responsible authorities 7. Law enforcement 8. Integration measures for asylum applicants 9. Other December 2015 a) Year and month the measure was established b) Typology of measures Measure following an increase or decrease in Measure following preparation for the relocation of aliens in numbers? need of asylum New measure or change to an existing New measure measure? Structural or ad-hoc (temporary) measure? Structural measure Type of measure: Secondary legislation level: Order No A1-776 of the Minister of Social Security and - (National) Action plan Labour of the Republic of Lithuania of 21 December 2015 - Legislative instruments - Specific interinstitutional / multi-agency amending Order No 20 of the Minister of Social Security and working group on the situation Labour of the Republic of Lithuania of 13 February 2002 on

- Soft measures (handbooks, circulars,

policy/staff guidance, employing new staff)

- Resources (staff or financing)

- Emergency/contingency plan

- Other, please specify

amending Order No 20 of the Minister of Social Security and Labour of the Republic of Lithuania of 13 February 2002 on Approval of the Description of the Conditions and Procedure for Accommodation of Aliens at the Refugee Reception Centre, the Procedure for Organisation of the Employment of Aliens and Application of Disciplinary Measures against Them, the Description of the Procedure for Exercise of an Alien's Right to Receive a Monthly Cash Allowance for Petty Expenses and the Description of the Procedure for Exercise of an Alien's Right to be Reimbursed for the Use of Public Transport

Primary legislation level:

Republic of Lithuania Law No XIII-328 of 25 May 2017 amending Law No IX-2206 on the Legal Status of Aliens. This amendment stipulates that the aliens relocated to the territory of the Republic of Lithuania in cooperation with other Member States of the European Union, third countries, European Union institutions or organisations are provided the same support of the State of Lithuania for integration as the aliens who have been granted asylum in the Republic of Lithuania.

Measure No. 4

	c)	General aim of the measure (what was intended?)	The aim is to ensure the implementation of the commitments assumed by Lithuania with regards to the relocation of alien in need of asylum to the territory of the Republic of Lithuania. Relocated persons are accommodated at the Refugee Reception Centre straightaway and receive the same support for integration as the aliens who have been granted asylum in the Republic of Lithuania, i.e., they have access to all the integration measures from the moment of their entry pending a decision on their application.
	d)	Intended and actual duration of the measure?	Indefinite
	e)	Key elements of the measure (description of the measure)	The relocated aliens in need of asylum who are accommodated at the Refugee Reception Centre are provided with the following support for integration: free accommodation during the period of stay at the Centre; conditions are provided for managing the documents related to the granting of asylum in the Republic of Lithuania; a monthly allowance in the amount of EUR 71.4 for food and petty expenses; access to the services of an interpreter; conditions are provided for communicating with relatives, state and municipal institutions, agencies, international and non-governmental organisations; whenever possible, the aliens are provided with clothing and footwear. When providing the clothing and footwear inventory sheet in the format set by the director of the Centre; whenever possible, the aliens are provided with bed linen and personal hygiene items; the aliens who are of school age are provided with school supplies according to the procedure established by the director of the Centre; the aliens have access to Lithuanian language teaching, cultural knowledge courses and vocational guidance; their leisure time is organised.
	f)	Authorities involved in drafting the measure	Ministry of Social Security and Labour and the Ministry of the Interior
	g)	Authorities involved in proposing and approving of each measure	Ministry of Social Security and Labour and the Ministry of the Interior
	h)	Authorities implementing measures	Ministry of Social Security and Labour
	i)	Other	

Q11. To what extent were any of the measures put in place by non-state entities mandated by a government authority via funding or project/by law/by measure?

Area	Extent of involvement of non-state entities (if yes, to what extent)
Border control	None
Reception centres / accommodation arrangements and other housing	None

Wider reception services (social services, health services), rights afforded to applicants	Caritas day care centre "Kultūrų įkalnė" ("House of Cultures") in Pabradė. The day care centre organises educational activities for children from asylum applicants' families, cultural afternoons for women, provides social, legal and psychological counselling for adults. This centre is special in the way that festive activities involve the local community. This facilitates further integration upon granting the relevant status. The centre is financed with funds of the European Union.
Registration process of the asylum seeker	None
Asylum procedure (at first and second instance)	None
Infrastructure, personnel and competencies of the responsible authorities	Non-governmental organisations are involved in the Commission's activities. No additional funding is allocated for this purpose.
Law enforcement	None
Immediate integration measures for asylum applicants	Non-governmental organisations do not provide integration measures for asylum applicants, but contribute to ensuring of reception conditions. A pilot project concerning the accommodation of relocated aliens in need of asylum directly in the territory of a municipality (bypassing accommodation at the Refugee Reception Centre) was launched in the middle of 2017. Three relocated families were accommodated in the following municipalities: Vilnius, Kaunas and Klaipėda. Non-governmental organisations are involved in providing support for integration for these persons.
Cooperation with international organisations	On 16 August 2016, an agreement was signed between the Migration Department and the International Organization for Migration (IOM) on the implementation of relocations from Turkey.

Q12. In view of the impact of the fluctuations of the influx on local authorities, how and to what extent were local authorities impacted by measures taken by the national government/authorities responsible? To what extent local authorities were able to influence this process?

Area	Impact on local authorities	Influence on the process
Border control	None	None
Reception centres / accommodation arrangements and other housing	Partially impacted (the issue of accommodation needs to be addressed)	Accommodation of asylum applicants at accommodation facilities and/or temporary housing, rather than at the Foreigners' Registration Centre. A list of accommodation facilities and temporary housing is drawn up by the Migration Department. State and municipal institutions or agencies managing unused or unoccupied accommodation arrangements (except for social housing), other bodies, enterprises or organisations, non-governmental organisations inform the Migration Department in writing of their possibilities to participate in the activities of accommodation of asylum applicants and provide a description of available accommodation arrangements, information

	about the number of persons and/or families who can be accommodated and the exact address. Asylum applicants can also be accommodated at the Refugee Reception Centre provided that it has available capacity and after the Migration Department receives the approval of the Ministry of Social Security and Labour. In such cases, the Ministry of the Interior or an institution authorised by it concludes with the Refugee Reception Centre an agreement on ensuring of reception conditions for asylum applicants ¹³ .
None	None
None	None
None	None
No impact, but it is planned to develop the infrastructure of the Foreigners' Registration Centre, including construction of a new building intended for the reception of asylum applicants, conducting of their interviews and other asylum procedures.	None
In preparation for the reception of relocated asylum applicants and their accommodation at the Refugee Reception Centre, the Rukla police station of the Public Police Unit of Jonava District Police Headquarters of Kaunas County Police Headquarters was opened in Rukla in December 2015.	Influence on public security and public policy within the territory of Rukla
In Lithuania, integration measures are not provided to asylum applicants, except for relocated persons (they are accommodated at the Refugee Reception Centre and receive the same support for integration as the aliens who have been granted asylum in the Republic of Lithuania).	Integration measures for relocated asylum applicants are financed with funds of the Asylum, Migration and Integration Fund ('AMIF') and partly from the state budget.
	None None None Noimpact, but it is planned to develop the infrastructure of the Foreigners' Registration Centre, including construction of a new building intended for the reception of asylum applicants, conducting of their interviews and other asylum procedures. In preparation for the reception of relocated asylum applicants and their accommodation at the Refugee Reception Centre, the Rukla police station of the Public Police Unit of Jonava District Police Headquarters of Kaunas County Police Headquarters was opened in Rukla in December 2015. In Lithuania, integration measures are not provided to asylum applicants, except for relocated persons (they are accommodated at the Refugee Reception Centre and receive the same support for integration as the aliens who have been granted asylum in the

2.2 SCALING DOWN OR DISMANTLING MEASURES FOLLOWING A DECREASE IN NUMBERS OF ASYLUM APPLICATIONS

Q13. Many Member States experienced a decrease in the influx of asylum applications in the third and fourth quarters of 2016, while several Member States experienced a more irregular decrease at certain intervals

about the number of persons and/or families

¹³ The agreement was signed between the Ministry of the Interior and the Refugee Reception Centre on 2 June 2017.

after the period 2014-2016. If Lithuania experienced a decrease in asylum applications, were any changes made to (scope of) previously adapted or introduced measures?

Lithuania did not experience a decrease in the influx of asylum applications in the third and fourth quarters of 2016. The situation was the opposite. No changes were made to measures.

Q14. To what extent did the decrease result in adapting or abolishing/dismantling measures taken in periods of increase?

No decrease was observed.

Q15. To what extent did the decrease lead to a shift in political and administrative prioritisation of measures taken?

No decrease was observed.

Q16. To what extent did the decrease lead to measures (and/or debate) about maintaining established admission, housing and integration capacities as well as preserving gained expertise (e.g. regularly training of former staff; maintaining infrastructure; increasing capacities within other admission procedures such as resettlement, relocation, humanitarian admission)?

No decrease was observed. The situation was the opposite. This situation accelerated the consideration of the issues of provision of alternative accommodation if the Foreigners' Registration Centre was filled up and there was no available capacity (see question 3).

3.

Effectiveness of the Measures Taken

Measures No. 1, 2, 3, 4	Immediate impact (in the first days or weeks after its implementation)	n/a
	Medium or longer term effect (a month or longer after its implementation)	n/a
	Collateral or side effect(s) and unexpected/unforeseen effects (effects not initially considered when the measure was implemented)	n/a
	Was the measure evaluated for effectiveness? If so, by whom?	n/a
	What was the outcome of the evaluation?	n/a

Q17a. Please indicate the impacts and effectiveness of each measure mentioned above.

Q17b. Did the changing influx of asylum applicants prompt changes in national approaches for other types of migration, e.g. economic migration or family reunification? The question seeks to establish whether the increased number of asylum applications brought about changes in other policy areas, such as for example a stricter approach to family reunification, or reduced labour immigration quotas.

The influx of asylum applicants did not prompt any changes in national approaches for regular migration.

4.

Financing of the Implemented Measures

Q18a. How were the implemented national measures financed?

The increased influx of asylum applicants occurring in 2016 is linked with relocations. The financial burden increased, however relocation activities were financed with AMIF funds.

Q18b. Was the financing plan of ad-hoc measures different from the financing of already existing and structural measures for national asylum policies/national asylum system? How?

Measures for aliens in need of asylum were financed with AMIF funds.

Q19. Did the fluctuation of the influx bring an increase/decrease in the administrative burden for national authorities responsible of asylum applicants? If yes, how did Lithuania deal with that?

Administrative burden increased, however additional personnel was not recruited.

Q20. To what extent did the adoption of additional measures directly result in an increase in staff/human resources at national (ministry, national services) or local level?

The workload increased for the authority examining asylum applications, i.e., the Migration Department, however human resources were not changed. The Migration Department faces the challenge of examining asylum applications within the period of three months (the period is most often extended and therefore the Foreigners' Registration Centre becomes filled up).

5.

The Way Forward - Future Preparedness Q21. Following the fluctuations between 2014 and 2016, did Lithuania put in place any new structural (emergency planning) mechanisms to adapt to the (possible) changing influx of asylum applicants in the future?

Yes.

- According to Law No XII-2080 of 26 November 2015 amending Republic of Lithuania Law No IX-2206 on the Legal Status of Aliens, the aliens relocated in cooperation with other Member States of the European Union, third countries, European Union institutions or international organisations are accommodated at the Refugee Reception Centre during the examination of their asylum applications. This improves reception conditions for the relocated asylum applicants as they are accommodated at a body providing social services rather than at the Foreigners' Registration Centre, and integration measures are provided to them from the moment of their entry.
- At the beginning of 2016, the Ministry of the Interior began drafting a resolution of the Government of the Republic of Lithuania approving the Description of the Procedure for Accommodation of Asylum Applicants, which aims at regulating the procedure related to accommodation facilities, temporary housing and places for equipping temporary housing for asylum applicants (drawing up of a list, requirements for the accommodation arrangements, accommodation conditions and procedures for asylum applicants, ensuring of reception conditions and the amount of funds allocated to ensure material reception conditions). The Description applies to the asylum applicants who have not been detained or who have not been provided an alternative to detention, namely, the accommodation of an alien at the Foreigners' Registration Centre without restricting his freedom of movement. Such aliens may, by a decision of the Migration Department, be accommodated at accommodation facilities or temporary housing in the presence of at least one of the following conditions: the asylum application in question has been lodged by a vulnerable person or there is no capacity available for the accommodation of asylum applicants at the Foreigners' Registration Centre (on 8 March 2017, the Government of the Republic of Lithuania adopted Resolution No 171 on Approval of the Description of the Procedure for Accommodation of Asylum Applicants). The aim pursued is to increase flexibility in providing asylum applicants with other suitable accommodation arrangements.
- It is planned to develop the infrastructure of the Foreigners' Registration Centre (construction of a new building intended for the reception of asylum applicants, conducting of their interviews and other asylum procedures).

Q22a. Please elaborate to what extent the experience over 2014-2016 helped the government (national, regional, local level) to be prepared for any future changing influx in asylum applications, such as for 2017?

Experience showed the need to continuously improve the administrative capacity of the representatives of institutions working in the area of asylum. The area of asylum is not fully predictable: extension of the period of examination of an asylum application complicates the accommodation of other asylum applicants at the Foreigners' Registration Centre.

Although the issue of provision of accommodation has been legally regulated, this has not yet been fully implemented in practice. Therefore, in the event of a significant increase in the number of asylum applicants, the issue of provision of accommodation would become a priority and should be raised at the political level.

Q22b. Have any potential future measures been planned? Are new measures under consideration?

The Ministry of the Interior is currently implementing Resolution No 171 of the Government of the Republic of Lithuania of 8 March 2017 on Approval of the Description of the Procedure for Accommodation of Asylum Applicants.

The Description applies to the asylum applicants who have not been detained or who have not been provided an alternative to detention, namely, the accommodation of an alien at the Foreigners' Registration Centre without restricting his freedom of movement. Such aliens may, by a decision of the Migration Department, be accommodated at accommodation facilities or temporary housing in the presence of at least one of the following conditions: the asylum application in question has been lodged by a vulnerable person or there is no capacity available for the accommodation of asylum applicants at the Foreigners' Registration Centre.

According to this Description, asylum applicants may, from now on, be accommodated:

• at the Foreigners' Registration Centre;

- at the Refugee Reception Centre in Rukla, subject to availability. An agreement with the Refugee Reception Centre was signed on 2 June 2017. Under the agreement, asylum applicants are accommodated at the Refugee Reception Centre during the examination of their asylum applications;
- at other accommodation facilities or temporary housing provided that appropriate reception conditions are ensured. In such a case, the Ministry of the Interior or another authorised institution publishes a public call for tenders to select a suitable entity for the accommodation of an asylum applicant.

6.

Good Practices and Lessons Learnt

6.1. CHALLENGES AND OBSTACLES FOR THE DESIGN AND IMPLEMENTATION OF SPECIFIC POLICIES TO ADAPT TO CHANGING INFLUX OF ASYLUM APPLICANTS

Q23. What are the main challenges and/or obstacles that Lithuania had to overcome in designing strategies, structural mechanisms and measures to adapt to the influx of asylum applicants?

Although the increased influx of asylum applicants in Europe did not directly impact Lithuania, Lithuania contributed to its management. One of the main challenges is improvement of reception conditions for asylum applicants and expansion of accommodation capacities. This issue has been legally regulated by Resolution No 171 of the Government of the Republic of Lithuania of 8 March 2017 on Approval of the Description of the Procedure for Accommodation of Asylum Applicants, however in the event of a significant increase in the number of asylum applicants, the issue of provision of accommodation would become a priority and should be raised at the political level.

Another important challenge is to ensure the implementation of the commitments assumed to the European Union regarding the relocation of aliens in need of asylum to the territory of the Republic of Lithuania.

There also remain the following challenges:

- low allowances and the consequent movement to other Western countries;
- the asylum applications lodged by relocated aliens are examined more speedily, therefore, the examination of the
 asylum applications lodged by other asylum applicants is delayed and they reside at the Foreigners' Registration
 Centre for a longer period (there is no turnover of inhabitants, therefore, there may occur shortages of capacity at
 this Centre);
- municipalities are not adequately prepared to receive persons with a different cultural background;
- large families are being relocated, and it is rather difficult to integrate these persons due to vulnerability and a
 different cultural background;
- political debate on the number of the persons to be relocated and obligatory quotas. Lithuania agrees to contribute to solidarity, but does not support permanent quotas.

6.2. GOOD PRACTICES AND LESSONS LEARNT

Q24. Did or will Lithuania undertake a national evaluation of the policies and measures implemented over 2014-2016?

No evaluation was undertaken.

Q25. Could you identify good practices in Lithuania with regards to ensuring flexibility and adaptability of the national asylum system and associated services in order to deal with a changing influx of asylum applicants?

According to Law No XII-2080 of 26 November 2015 amending Republic of Lithuania Law No IX-2206 on the Legal Status of Aliens, the aliens relocated in cooperation with other Member States of the European Union, third countries, European Union institutions or international organisations are accommodated at the Refugee Reception Centre during the examination of their asylum applications. This has partly resolved the issue of provision of accommodation to asylum applicants and fulfilment of obligations to the European Union as well as the earliest possible integration of such persons in society.

Q26. What are the key lessons learnt by key national authorities involved over the period 2014-2016? Please elaborate and add as many rows as needed.

Lesson learnt	Responsible authority/stakeholder
1. Ensuring of reception conditions for asylum applicants (provision of alternative accommodation to the asylum applicants)	Ministry of the Interior of the Republic of Lithuania; Ministry of Social Security and Labour of the Republic of Lithuania; Migration Department under the Ministry of the Interior of the Republic of Lithuania; State Border Guard Service under the Ministry of the Interior of the
2. Implementation of commitments on the relocation of aliens in need of asylum from the Member States of the European Union and third countries and integration of the aliens	Republic of Lithuania Ministry of the Interior of the Republic of Lithuania; Ministry of Social Security and Labour of the Republic of Lithuania
3. Enhancing capacities of staff working in the area of asylum	Ministry of the Interior of the Republic of Lithuania; Migration Department under the Ministry of the Interior of the Republic of Lithuania; State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania
4. Cross-border and interinstitutional cooperation	Ministry of the Interior of the Republic of Lithuania; Ministry of Social Security and Labour of the Republic of Lithuania

European Migration Network (EMN) is a network composed of migration and asylum experts from EU Member States, Norway and the European Commission. Its main objective is to collect, analyse and provide up-to-date, objective, reliable and comparable information on migration and asylum to policy makers at EU and Member State level and the general public.

The EMN National Contact Point (NCP) in Lithuania is composed of representatives from the Ministry of the Interior, the Migration Department, the State border guard service as well as the International Organization for Migration (IOM) Vilnius office which acts the national co-ordinator for the EMN activities in Lithuania. EMN NCP in Lithuania also collaborates with other entities from governmental as well as non-governmental institutions working in the area of migration.